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In re Application of
Zvuloni
Application No.: 10/542,386
PCT No.: PCT/IL04/00043
Int. Filing Date: 15 January 2004
Priority Date: 16 January 2003
Attorney Docket No.: 30241
For: Device, System, And Method For Detecting And
Localizing Obstruction Within A Blood Vessel

DECISION
ON
PETITION

The petition to revive under 37 CFR 1.137(b) filed 28 September 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant states that "the entire delay in filing the required reply until the filing of this grantable petition was unintentional." This is being construed as a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, the statement in the petition is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that the required small entity petition fee of \$750.00 has been paid. The Transmittal Letter filed on 14 July 2005 authorized the small entity basic national fee to be charged to counsel's deposit account. While the reason for abandonment was that insufficient funds were present at the time said charge was processed, counsel now asserts that the account has been replenished and has again authorized the charge. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing, including the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring the payment of the surcharge under 37 CFR 1.492(h) and the submission of an oath or declaration compliant with 37 CFR 1.497(a) and (b).

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